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September 14, 2020

**Via ECF**

The Honorable Paul A. Engelmayer  
Southern District of New York  
Thurgood Marshall Courthouse  
40 Foley Square- Courtroom 1305  
New York, NY 10007-1312

**Re: Canosa v. Weinstein, et al; Case No. 18-cv-04115-PAE**

Dear Judge Engelmayer:

We are counsel to Defendants The Weinstein Company, LLC and The Weinstein Company Holdings, LLC, (collectively "TWC" or "the Debtors") in connection with the above-captioned matter.

TWC writes in accordance with the Court's December 13, 2019 Order (ECF 120) to provide a regular status update regarding TWC's bankruptcy proceedings and developments with settlement.

On June 30, 2020, Plaintiffs in the related action pending in the Southern District of New York, *Geiss, et al v. The Weinstein Company Holdings LLC, et al.*, No. 1:17-cv-09554-AKH ("*Geiss*") filed a Motion for Preliminary Approval of Class Action Settlement, Certification of Settlement Classes, Appointment of Class Counsel, and Permission to Disseminate Class Notice. (See *Geiss* Dkt. 333). On July 24, 2020, The Honorable Judge A Hellerstein issued a written Memorandum and Opinion denying the *Geiss* Plaintiffs' motion for preliminary approval of a class action settlement. (Dkt. 357).

Following Judge Hellerstein's ruling, the Debtors immediately began conversations with the settling parties to assess whether a revised settlement can be achieved. The parties to the original Class Action Settlement Agreement continued to work on a revised settlement framework along with a revised Joint Chapter 11 Plan of Liquidation. On August 31, 2020, the Debtors filed a First Amended Chapter 11 Plan of liquidation in the Chapter 11 bankruptcy case, *In Re The Weinstein Company Holdings, LLC*, 18-10601 (Bankr. D. Del.) (Dkt. 2952). This Amended Plan, if confirmed, will allow claims of settling plaintiffs to be resolved and paid by a fund created under the Plan. Whereas the original Joint Chapter 11 Plan filed in the Bankruptcy Court on June 30, 2020 was predicated on the approval of the Class Action Settlement in *Geiss*, a global settlement embodied in the Amended Plan is to be implemented by the Bankruptcy Court-supervised plan process, with no further involvement of the District Court in the pending *Geiss* action.

A tort claims bar date has also been set by the Bankruptcy Court of October 31, 2020.



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We will continue to provide Your Honor with regular updates every 30 days pursuant to the Court's December 13, 2019 Order, and will advise of any material developments on an accelerated basis.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ Gerald L. Maatman, Jr.

Gerald L. Maatman, Jr.

cc: All Counsel of Record